

REMARKS

Claims 4 and 5 have been canceled.

Claims 9-11 have been added. Support for new claim 9 can be found in original claim 6. Support for new claim 10 can be found in original claim 7. Support for new claim 11 can be found in the formula at the bottom of page 8 of Applicants' specification.

Upon entry of the Amendment, claims 1-3 and 6-11 are pending in the application.

Claim 1 has been amended. Support for this amendment can be found in original claim 4 and on page 4, lines 21-24 of Applicants' specification.

Claims 1-8 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nishi et al., U.S. Patent No. 6,048,661 ("Nishi").

Claim 1 has been amended to recite, "A chemical amplification type positive resist composition comprising resin which itself is insoluble or poorly soluble in an alkali aqueous solution but becomes soluble in an alkali aqueous solution by the action of an acid, an acid generator and a compound represented by formula (II)...."

Applicants submit that the compounds described in Nishi are not within Applicants' claimed invention. Nishi does not teach or suggest a compound represented by formula (II). Therefore, Applicants submit that Nishi does not anticipate or render obvious the claimed invention. In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Appln. No.: 10/687,611
Amendment under 37 C.F.R. § 1.111

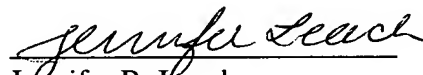
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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